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OFFICE OF PETITIONS

In re Application of Ellis et al.	:	
Application No. 09/553,107	:	Decision on Petition
Filing Date: April 20, 2000	:	
Attorney Docket No. GJH-0018	:	

This is a decision on the renewed petition under 37 CFR 1.137(b), filed July 17, 2006, to revive the above-identified application.

The petition is **granted**.

The above-identified application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 1.17(c)) within the time period provided in 37 CFR 1.192(a). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed March 28, 2005, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.192(b) & 1.197(c). As no claim was allowed, the above-identified application became abandoned on May 29, 2005. See MPEP 1215.04. A Notice of Abandonment was mailed on November 14, 2005.

The instant petition requests revival of the application.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Therefore, the petition is granted and the application is revived.

Technology Center Art Unit 1764 will be informed of the instant decision. The RCE and the other papers filed April 5, 2006, will be entered and considered by the examiner in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

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